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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,271	02/06/2002	Gabriel Daemon Engel		7734

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EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/049,271

Applicant(s)

ENGEL ET AL.

Examiner

Gregory J. Vaughn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 13-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Application History

1. This action is responsive to the application amendment, filed on 2/17/2005.
2. Applicant has cancelled claims 11 and 12, amended claims 1, and 3-10, and added new claims 13-22.
3. Claims 1-10 and 13-22 are pending in the case, claims 1, 13 and 18 are independent claims. Claim 3 is a multi-dependent claim.
4. Applicant has amended the specification in response to the objections cited by the examiner in the *Specification* sections of the previous office action (dated 11/17/2004). Applicant's amendment has addressed the objections previously made, and therefore, in view of the amendment, objections to the drawings and specification are withdrawn.
5. Examiner's objection to claims 4-10, made in the *Claim Objections* section of the previous office action (dated 11/17/2004) regarding multiple dependent claims is withdrawn in view of the amendment to these claims.
6. Examiner's rejection of claims 11 and 12, made under 35 USC 103, as being unpatentable in view of Yoshikawa US Patent 6,327,592 in view of Courter et al. Microsoft Office 200 Professional Edition, 1999 as recited in the previous office action (dated 2/10/2004) are withdrawn in view of the cancelled claims.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

"A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language."

8. Claims 1 and 2 remain rejected and claims 4-7, 9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshikawa US Patent 6,327,592, filed 7/2/1998, patented 12/4/2001.

9. **Regarding independent claim 1**, Yoshikawa discloses displaying data in a software program on a multi-layer display in Figure 7 at reference sign 601 (layers shown in the data tables designated at reference signs 604, 605, 606, 607 and 608). Yoshikawa discloses assigning a particular screen designation code to a first group of data in Figure 7 at reference sign 606 (shown as "Sales Volume"). Yoshikawa discloses assigning a particular screen designation code to a second group of data in Figure 7 at reference sign 607 (shown as "Number of Employees"). Yoshikawa discloses the screen designation code determining on which screen in the multi-layer display the

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group of data is displayed in Figure 7 (the data is shown displayed on the only system screen shown in the figure).

10. **Regarding dependent claim 2**, Yoshikawa discloses a spreadsheet in Figure 7 at reference sign 606, 607 and 608.

11. **Regarding dependent claim 4**, Yoshikawa discloses one of the groups of adapt is a formula corresponding to values in the cells in another group of data in Figure 7 at reference sign 608 (shown as "*Sales Volume / Number of Employees*").

12. **Regarding dependent claim 5**, Yoshikawa discloses the second group of data is a wrap around in Figure 18 at reference sign 408 and 410 (shown as scroll bars for the vertical and horizontal axis of the display).

13. **Regarding dependent claim 6**, Yoshikawa discloses the second group of data containing highlights in Figure 14 at reference sign 809.

14. **Regarding dependent claim 7**, Yoshikawa discloses the second group of data with hyperlinks from one part of the display to another in Figure 21 at reference sign 703 (shown as the dashed lines connecting the first group of data to second group of data).

15. **Regarding dependent claim 9**, Yoshikawa discloses the second group of data has the ability to scroll through information on a particular screen in

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Figure 18 at reference sign 408 and 410 (shown as scroll bars for the vertical and horizontal axis of the display).

16. **Regarding dependent claim 10**, Yoshikawa discloses the second group of data contains useful information pertaining to the first groups of data in Figure 7 at reference sign 608.

17. Claims 13-22 are rejected under 35 U.S.C. 102(e) as being anticipated by McGarry US Patent 6,859,907, filed 8/9/1999, patented 2/22/2005.

18. **Regarding independent claim 13**, McGarry discloses a multi-layer display with front and back screens. McGarry recites: "*A split-screen and dual screen approach can also be employed for displaying the buffered data sets alongside the electronic spreadsheet*" (column 2, lines 10-12). McGarry discloses in Figure 2 the display of a first group of data and a front screen designation at reference sign 21; a second group of data and a back screen designation at reference sign 22.

19. **Regarding dependent claim 14**, McGarry discloses the data generated within a spreadsheet program. McGarry recites: "*The invention provides methods for adapting electronic spreadsheets to applications in the field of industrial machine vision*" (column 1, lines 60-62).

20. **Regarding dependent claim 15**, McGarry discloses different data elements assigned to a single cell of a spreadsheet. McGarry recites: "*each*

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cell representing a single value that is, in turn, a function of some number of other cells in the grid" (column 1, lines 33-34).

21. **Regarding dependent claim 16**, McGarry discloses in Figure 4 a first group of data comprising a number (shown at reference sign 43) and a second group of data comprises a formula (shown at reference sign 42).
22. **Regarding dependent claim 17**, McGarry discloses apportion of the data is displayed on the back screen is viewable through the front screen in Figure 2 at reference sign 23.
23. **Regarding claims 18-22**, the claims are directed to a method for the method of claims 13-17, and are rejected using the same rationale.

Claim Rejections - 35 USC § 103

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

25. Claim 3 is remains rejected and claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa in view of Courter et al. Microsoft Office 2000 Professional Edition, 1999 (hereinafter Courter).

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26. **Regarding dependent claims 3 and 8**, Yoshikawa discloses visual effects in the manipulation of data, with screen designations of groups of data and simultaneous data display as described above. Yoshikawa fails to disclose the use of tabs corresponding to the groups of data (claim 3) or the use of error messages. Courter teaches the use of tabs for groups of data. Courter discloses in Figure 22.1 on page 543 a spreadsheet using tabs to group the data (shown as "*Sheet tabs*"). Courter teaches the use of error messages on page 685 in table 27.1 titled "*Error Codes*"

Therefore, it would have been obvious, to one of ordinary skill in the art at the time the invention was made, to use tabs, as taught by Courter, to manage Yoshikawa's groups of data in order to "enter and format spreadsheets, create formulas, design charts, and manage and analyze data" (Courter, page xxxi, fourth paragraph).

Response to Arguments

27. Applicant's arguments filed 2/17/2005 have been fully considered but they are not persuasive.

28. **Regarding independent claim 1**, the applicant recites: "*The Yoshikawa patent does not expressly or inherently describe a method comprising "assigning a ... screen designation code to a first group of data ... assigning other screen designation codes to second and other groups of data, wherein the screen designation code determines on which screen in the multi layer display the group of data is displayed"*" (page 8, first paragraph of the amendment filed 2/17/2005). Applicant is directed to the rejection of claim 1 as restated above.

Conclusion

29. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
May 13, 2005



STEPHEN HONG
SUPERVISORY PATENT EXAMINER